

Docket No. 247919US0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shigeru EMOTO, et al.

SERIAL NO: 10/759,197

GAU: 1756

FILED: January 20, 2004

EXAMINER: Chapman

FOR: TONER AND IMAGE FORMING APPARATUS USING THE TONER

**TERMINAL DISCLAIMER**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Ricoh Company, Ltd is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, a copy of the Assignment is attached hereto, and said copy is a true and accurate copy of the Assignment as filed in the U.S. Patent and Trademark Office.

Ricoh Company, Ltd hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,852,462, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,852,462, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Ricoh Company, Ltd does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,852,462 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

12/20/2005 HALI11 00000127 10759197

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12/19/05

Date Signed

Respectfully Submitted,

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